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TO EXAMINER L. FERGUSON
 Company USPTO
 Fax 703-872-9306
 Phone _____

FROM W. DIPPERT
 Phone 212-521-5408
 Fax _____
 Date 2/8/05

Total Number of Pages Including Cover Page 7Original will follow via: ☐ Regular Mail ☐ Overnight Delivery ☐ Messenger ☒ None

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EX. FERGUSON	USPTO	571-273-1522	/
			/
			/
			/
			/

NOTES:

S.N. 10/763,625

ATTACHED ARE (1) A COPY OF AN E-MAIL FROM OUR ISRAELI ASSOCIATE (WITH MY ANNOTATION ABOUT CALLING THE EXAMINER) AND (2) COPIES OF THE OFFICE ACTION AND PUBLICATION NOTICE OBTAINED THROUGH PRIVATE FIRM. THE CORRECT ADDRESS IS SET FORTH ON THE FIRST PAGE OF THE OFFICE ACTION. PLEASE RE-SEND THE OFFICE ACTION TO THE CORRECT ADDRESS.

WILLIAM H. DIPPERT, REG. NO. 26,723

If you do not receive all of the pages, please call _____ at _____

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reedsmith.com

*Reed Smith refers to Reed Smith LLP and related entities.

NYLS-0113811-
 July 14, 2002 9:21 AM

Gress, Geraldine M.

From: Fenster & Company [fensterco@fenster.co.il]
Sent: Wednesday, February 02, 2005 5:27 AM
To: Gress, Geraldine M.
Subject: RE: Our Ref. UDS-A; Your Ref: 501010.20889
Importance: High

Dear Gerry,
According to our records we are still expecting an official filing receipt for the above referenced application. When I checked the Private PAIR I noticed that a Restriction Requirements was mailed on **September 23, 2004**. Can you please check your records on this case? We might have to speak to the USPTO and check the mailing address.
Regards,
Michal

Michal Hirsch
Assistant Patent Administrator
Fenster & Company
Tel: +972 3 9215380
Fax: +972 3 9215383

*Called Examiner
2/8/05*



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10763,625	01/22/2004	Yancov Alunog	600204328-XUDS-A	7724

7390 09/23/2004

William H. Dippert
Reed Smith LLP
~~375 Park Avenue~~
New York, NY ~~10152~~

599 LEXINGTON AVENUE

10022

EXAMINER

FERGUSON, LAWRENCE D

ART UNIT

PAPER NUMBER

1774

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

S.C.

Office Action Summary	Application No.		Applicant(s)	
	10/763,825		ALMOG ET AL	
	Examiner		Art Unit	
	Lawrence D. Ferguson		1774	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on ____.

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-37 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

5) ☐ Claim(s) ____ is/are allowed.

6) ☐ Claim(s) ____ is/are rejected.

7) ☐ Claim(s) ____ is/are objected to.

8) ☒ Claim(s) 1-37 are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: ____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 1-04)

Office Action Summary

Part of Paper No./Mail Date 20040920

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-30, drawn to a substrate, classified in class 428, subclass 195.1.
 - II. Claims 31-37, drawn to method of producing an coated substrate, classified in class 101, subclass 128.4.
2. Inventions I and II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product can be made by providing a printing media and overcoating the media with an extruded overlayer coating.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. A telephone call was made to Paul Fenster on September 2, 2004, to request an oral election to the above restriction requirement, but did not result in an election being made.
5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

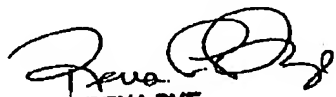
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Ferguson whose telephone number is 571-272-1522. The examiner can normally be reached on Monday through Friday 9:00 AM – 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye, can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lawrence Ferguson
Patent Examiner
AU 1774 Art Unit 1774


RENA DYE
SUPERVISORY PATENT EXAMINER
AU. 1774

